

Questions by member Omtzigt (Omtzigt) to the Minister of Infrastructure and Water Management about the investigation by the Dutch Safety Board (DSB) into the air disaster in Faro, in which 56 people died and 106 were seriously injured. (Questions submitted October 11, 2021).

**Question 1**

Do you recall that on 18 August 2020, your predecessor in office requested the DSB to conduct further research as a result of the *EenVandaag* TV-broadcast of 16 January 2016, the expert investigation and the final verdict in the court case (in which the State was held liable for 20% of the unpaid damages)? 1

**Question 2**

Do you recall that the court ruled harshly on the Dutch Aviation Safety Board (Board), the legal predecessor of the DSB, when it rendered its verdict, as follows:

**Question 3**

"...the Board [has] acted negligently and unlawfully. In the investigation into the causes of the disaster the Board put forward too strongly that a so-called windshear (sudden change in wind speed and direction) should be considered the primary cause of the accident. However, in the final Report of Accident of the Portuguese Research Council, windshear was not recognized as a cause"? 2

**Question 4**

Do you recall that on August 18, 2020, your predecessor explicitly sketched, "By letter dated October 5, 2017, additional information obtained from the Portuguese investigation body was transferred to the DSB. I request that you also include this information in your investigation."?

**Question 5**

Are you aware that the State, as the owner of the aircraft, had an interest in the outcome of the investigation carried out by the Board, which was then part of the Ministry?

**Question 6**

Are there any relevant matters known about the accident (about the purchase and ownership of the aircraft, about the contracts under which Martinair leased the aircraft back from the State, about political or other interference in the investigation) that are known to the Government but have not yet been brought out? If so, would you hereby report them to the Parliament?

1 Wob besluit; <https://www.rijksoverheid.nl/c/documenten/wob-verzoeken/2021/05/07/besluit-op-wob-verzoek-over-nader-onderzoek-vliegtuigongeval-faro>

2 <https://www.rechtspraak.nl/Organisatie-en-contact/Organisatie/Rechtbanken/Rechtbank-Den-Haag/Nieuws/Paginas/Staat-aansprakelijk-voor-schade-vliegramp-Faro.aspx>

**Question 7**

How is it ensured that the DSB conducts an independent investigation into the actions of the DSB's predecessor, the Board?

**Question 8**

Did you ask the DSB to conduct a more extensive investigation and in any case to include the matters related to the engines and the Portuguese report, in response to the fact that the DSB indicated in a letter to you on 14 September 2020 that it would conduct a limited investigation into the landing gear only and that that investigation would be completed in early 2021?

**Question 9**

Do you assess the DSB's investigation question as complete or not?

**Question 10**

If the DSB did not want to adopt the government's question, was there consultation with the DSB about this and did they agree to the new question?

**Question 11**

Can you provide an overview of all the documents that the State made available to the DSB for this investigation?

**Question 12**

Are there also relevant documents about the air disaster that have not yet been made available to the DSB? If so, which?

**Question 13**

Have any documents in this case been declared State Secret? If so, which ones and can the Parliament receive a copy?

**Question 14**

Has the DSB at any time encountered limited cooperation from the State in its investigation? If so, with whom and about what?

**Question 15**

Can you indicate when the DSB expects to conclude the investigation?

**Question 16**

Can you answer these questions one by one and within three weeks?

Source:

<https://www.tweedekamer.nl/kamerstukken/kamervragen/detail?id=2021Z17645&did=2021D37955>

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